



Missouri  
Department of  
Natural Resources

**Wetlands Technical Subcommittee Workgroup-Meeting Notes**

For February 7, 2013, 1:30 pm-4 pm

John Hoke (MDNR) provided the welcome and opening remarks regarding the topics for the meeting, as noted on the agenda.

Steve McIntosh (MDNR) provided an overview of the Wetland Program Plan. It will include core elements on regulatory action, monitoring and assessment, protection and restoration. It will also cover rapid assessment methodology and recreational opportunities.

Lorin Crandall (MCE)-is this effort tied to updating the 1987 inventory?

Steve McIntosh-it will address the 1987 inventory, but updating will not be part of the plan.

Lorin Crandall-it is important to MO Coalition for the Environment (MCE) to have accurate inventory data.

John Hoke-it is sort of like a watershed management plan; flexible and robust.

Steve McIntosh-the plan is not doing a complete inventory.

Chris Zell (Geosyntec)-wetland condition assessment-is this to be addressed?

Steve McIntosh-we already participated in that-just a snapshot in time.

Lorin Crandall-I have worked with the data a lot and it is out of date.

Kevin Dacey (NRCS)-commented on what they have in available data, and responded to a question from Leslie Holloway (MO Farm Bureau).

Steve McIntosh-MDNR likes to have NRCS data, they hope to have the plan done quickly, possibly the end of April. If you have any information to provide send it to him.

John Hoke-discussion of the schedule for the next few years.

Karen Bataille (MDC) mentioned importance of appropriately classifying wetlands-it will take a while.

Bill Whipps (MDNR)-power point presentation on Meeting #1's outline-beginning with 5 steps for developing water quality standards.

1. Define
2. Designate uses
3. Adopt narrative criteria/numeric criteria
4. Adopt narrative biological criteria

## 5. Extend anti-degradation policy/implementation

Lorin Crandall-protection for wetlands from being drained is necessary.

Trent Stober (HDR)-discussion on Karen Bataille's comments on tiered approach.

Steve McIntosh-discussed case near a state park, knows of other cases as well.

Anna Nowack (MDNR)-comments regarding current wetlands that are classified as lakes.

Lorin Crandall-is there overlap?

Anna Nowack-possibly.

Mary West-Calcagno (no affiliation provided)-where does the directive come from?

Bill Whipps-not a directive, but guidance (EPA).

Mary West Calcagno-will this be posted? It would be helpful.

Lorin Crandall-do you mean water quality standards for wetlands?

Bob Angelo (EPA)-guidance has been developed.

The presentation reviewed Region 7 states and how their water quality standards apply to wetlands-if they have them (WQS).

Phil Walsack (MPUA)-is the Nebraska wetland program approved by EPA?

Steve McIntosh-yes.

Trent Stober-asked questions regarding national wildlife refuges and uses.

Anna Nowack-mentioned public land protections/federal and MDC, as well as 1987 previous rule-making.

Bill Whipps-mentioned the program looked at 5 other states-Oklahoma, Arkansas, Tennessee, Kentucky and Illinois. Not all use criteria to assess wetlands, no wetland-specific water quality standards.

Lorin Crandall-how did we make above (in the presentation) determinations?

Bill Whipps-we looked at the standards.

Mike Kruse (MDNR)-some states actually stated it.

Presentation-wetlands delineation 10 CSR 20-7.031(1)(F)7 (slide)-showed proposed additions.

Leslie Holloway-lead discussion on regional supplements, particularly regarding Missouri's involvement. She had copies of the reports, and noted that no one from Missouri was mentioned,

which appears that there was not much representation in Missouri. She mentioned there was a site in Kansas City and St. Louis in the regional supplement.

Lorin Crandall-discussed wetlands that are artificially created-are they excluded from the rule?

Bill Whipps/John Hoke-responded to how the rule is interpreted.

John Hoke-are there other supplements we missed?

Nate Muenks (MODOT)-he thinks there are four.

John Hoke-we will check it out.

Presentation-wetlands definition (in rule) showed additional clarification language (slide).

Trent Stober-why is there a wetland definition and one in class W?

Brandy Bergthold (MDNR)-offered clarification.

Stacia Bax (MDNR)-asked for future clarification of where definitions/classifications will be.

Anna Nowack-we need to clean up our standards.

Nate Muenks-discussion on significant nexus comment-not included in definitions.

Lorin Crandall-discussion on additional comments re: overflow, vernal pool.

Bill Whipps-responded to Lorin Crandall about UAAs.

Presentation-wetlands criteria, numeric, site specific (slide).

Mary West Calcagno-how do you expect wetlands with high wildlife use to meet WBC-recreation uses?

Bill Whipps-that's what we need to figure out and address, that's why we're trying to get input.

Mark Osborn (MDNR)-how much data do we have? Suspect not much.

Bill Whipps-agree.

Chris Zell-we are all asking the same questions-what do we do? Can we move forward?

Bob Angelo-fundamentally, EPA wants to know – are all waters being protected? Wetland WQS don't necessarily need to include WBC-recreation. There will be complexities, but we are looking at all the data. EPA does not expect a finished product right now, but would expect to see something by next triennial review.

Karen Bataille-commented about the nature of a wetland.

Nate Muenks-offered some additional clarification to Karen's comments.

Peter Goode (Wash. U-Interdisciplinary Environmental Clinic)-also provided clarification to Karen's comments.

Trent Stober-no way will wetlands meet this criteria.

Lorin Crandall-discussed the delicate chemical balance in wetlands-can throw out of whack easily.

Bob Angelo-agreed, this is an opportunity to fit the criteria to the uses.

Lorin Crandall-makes sense to have basic limits on certain things.

Karen Bataille-we need time, we don't have the numbers we need, we need to do it right.

Lorin Crandall-we need to take action quickly, as the wetlands are threatened.

Peter Goode-we should set limits for every pollutant-example of an auto salvage yard upstream from a wetland.

Karen Bataille-discussed *E. coli* and wetland issues with geese.

Peter Goode-how do you protect wildlife and recreation use?

Bob Angelo-discussed clarification of recreational season.

Trent Stober-if we don't adopt something by the next triennial review EPA will have a problem with it.

Bob Angelo-EPA expects water quality standards to be adopted.

Mary West Calcagno-how do we handle wildlife in karst areas?

John Hoke-This is data driven. The workgroup needs to identify what to work on. We will have a plan.

David Sorrell/Craig Cuvellier (City of Columbia)-can something about wetlands under class W be put in language (wetlands criteria-numeric, site-specific)? Everything they (the city) are putting in is useless as the language stands tight now. Address treatment wetlands.

Lorin Crandall-are these permitted into the wetland or out of?

David Sorrell-out of.

Anna Nowack-commented on oversight.

David Sorrell-noted that there is an abundance of water fowl in the treatment wetlands.

Bill Whipps-we have work to do on the language.

Mark Osborn-discussed the wetland as a filter, how well is it working? Compliance point?

Phil Walsack-asked for Mark's comment to be clarified.

Mary West Calcagno-clarified what Mark said, then asked, if the wetland is achieving compliance what's the problem? What difference does it make?

Bob Angelo-commented on site-specific criteria identification process, and the need to accumulate information.

John Hoke-we need to talk today about what direction to take.

Peter Goode-why is site-specific added?

John Hoke-our intent was to tie back to table A, would be readjusted as well.

Presentation-direction/timeline (slide)

Mary West Calcagno-identification of what a wetland is should be number one.

Bill Whipps-specific types?

Mary West Calcagno-yes.

Chris Zell-mentioned there are at least six wetlands being monitored in conservation areas (water resources webpage). Reference quality.

Lorin Crandall-add overcoming potential hurdles by creating water quality standards, don't want to discourage wetland creation, include economic burdens.

Mary West Calcagno-isn't that MODOT's concern?

Lorin Crandall-wetlands for storm water control vs. natural wetland mitigation two different things.

Bill Whipps-discussion on agricultural land, asked Bob Angelo about 40 CFR 230 exclusion.

Bob Angelo-said he needed EPA attorneys on this, but wetlands would be excluded. He also said regarding the outcome of this process, as a gesture of good faith we need to draft a document on where we are trying to get to and a timeline.

John Hoke-said we could develop a one or two page outline for the next meeting and get it out to folks to look at.

The next meeting will be in early March.

Mary West Calcagno-wants a disclaimer in the document, being overly cautious but feels we need protections. Don't hold us to a timeline, may not make it, then there would be potential lawsuits.

Bob Angelo-point taken, can't guarantee EPA's unlimited patience, but recognizes the large effort being undertaken. Noted that Missouri might consider probabilistic wetlands monitoring.

Phil Walsack-acknowledged John Ford's (MDNR) years of service to the state and water quality.